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Attorneys for Defendant and Cross-Complaint,
William Abend, and Petitioners and Plaintiffs,
William M. Abend and Marcia F. Abend

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE PEOPLE OF THE STATE OF
CALIFORNIA,

No. C 07-02142 EMC

Plaintiff,

(Alameda County Superior Court Case Nos.
RG-06-289665 and RG-06-296229)

CITY OF OAKLAND, a municipal corporation,

**STIPULATION AND JOINT REQUEST
TO CONTINUE THE FEBRUARY 27,
2008 CASE MANAGEMENT
CONFERENCE AND DEADLINE TO
FILE UPDATED JOINT CASE
MANAGEMENT STATEMENT;
[PROPOSED] ORDER**

Plaintiff and Real Party in Interest.

VS

WILLIAM ABEND et al

Defendants

[Civil Local Rule 6-2]

AND RELATED CROSS-ACTION.

WILLIAM M. ABEND AND MARCIA F.
ABEND.

Petitioners And Plaintiffs.

vs.

CITY OF OAKLAND, et al.,

Respondents And Defendants.

STIPULATION AND JOINT REQUEST

WHEREAS, pursuant to the Court's Case Management and Pretrial Order for Jury Trial of August 23, 2007, and a first Stipulated Joint Request and Court Order Continuing the Case Management Conference and Deadline to File Updated Joint Case Management Statement, a Case Management Conference was set for February 27, 2008, at 2:30 p.m. before the Honorable Magistrate Judge Chen in Courtroom C, 15th Floor, U.S. District Court, 450 Golden Gate Avenue, San Francisco, California (the "CMC Order");

WHEREAS, the CMC Order further provides that the parties' updated joint case management statement is due February 20, 2008; and

WHEREAS, the parties are have engaged in settlement discussions, are now finalizing the terms of their proposed settlement agreement, and contemplate a complete dismissal of all claims;

The parties to the above-entitled consolidated action hereby stipulate, by and through their respective counsel, and jointly request that the case management conference currently scheduled for February 27, 2008, be continued until March 26, 2008. The parties further stipulate and jointly request that the deadline to file their joint updated case management statement be continued from February 20, 2008, until March 19, 2008.

DATED: February 20, 2008

McMANIS FAULKNER & MORGAN

COLLEEN DUFFY SMITH
CHRISTINE PEEK

Attorneys for Defendant and Cross-Complainant, William Abend, and Petitioners and Plaintiffs, William M. Abend and Marcia F. Abend

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2 DATED: February 20, 2008
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OFFICE OF THE CITY ATTORNEY

4 /s/ Carolyn Ortler (by her permission)
5 CHARLES E. VOSE
6 CAROLYN ORTLER
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8 Attorneys for Plaintiff and Cross-
9 Defendant, City of Oakland, and
10 Respondents and Defendants, City of
11 Oakland, et al.

12 **ORDER**

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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15 DATED: February 22, 2008
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